

State of Arizona
House of Representatives
Forty-fifth Legislature
Second Regular Session
2002

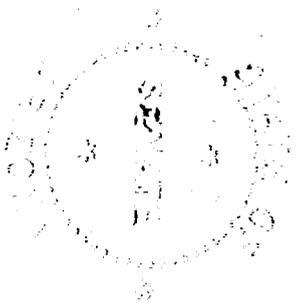
CHAPTER 273

HOUSE BILL 2452

AN ACT

AMENDING SECTION 28-708, ARIZONA REVISED STATUTES; RELATING TO RACING ON HIGHWAYS.

(TEXT OF BILL BEGINS ON NEXT PAGE)



1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 28-708, Arizona Revised Statutes, is amended to
3 read:

4 28-708. Racing on highways; classification; exception;
5 definitions

6 A. A person shall not drive a vehicle or participate in any manner in
7 a race, speed competition or contest, drag race or acceleration contest, test
8 of physical endurance or exhibition of speed or acceleration or for the
9 purpose of making a speed record on a street or highway.

10 B. A person who violates this section is guilty of a class 2- 1
11 misdemeanor. If a person is convicted of a second or subsequent violation
12 OF THIS SECTION within twenty-four months of a first conviction, the person
13 is guilty of a class 2- ~~misdemeanor~~ 6 FELONY and is not eligible for
14 probation, pardon, suspension of sentence or release on any other basis until
15 the person has served not less than ten days in jail OR PRISON.

16 C. A PERSON CONVICTED OF A FIRST VIOLATION OF THIS SECTION SHALL PAY
17 A FINE OF NOT LESS THAN TWO HUNDRED FIFTY DOLLARS AND MAY BE ORDERED BY THE
18 COURT TO PERFORM COMMUNITY SERVICE.

19 D. A PERSON CONVICTED OF A SUBSEQUENT VIOLATION OF THIS SECTION SHALL
20 PAY A FINE OF NOT LESS THAN FIVE HUNDRED DOLLARS AND MAY BE ORDERED BY THE
21 COURT TO PERFORM COMMUNITY SERVICE.

22 ~~C.~~ E. On pronouncement of a jail sentence under this section and in
23 cases of extreme hardship, the court may provide in the sentence that if the
24 defendant is employed or attending school and can continue employment or
25 school the defendant may continue the employment or school for not more than
26 twelve hours per day nor more than five days per week, and the defendant
27 shall spend the remaining days or parts of days in jail until the sentence
28 is served. The court may allow the defendant to be out of jail only long
29 enough to complete the defendant's actual hours of employment or school.

30 ~~D.~~ F. If a person is convicted of violating this section, the judge
31 may require the surrender to a police officer of any driver license of the
32 person and immediately forward the abstract of conviction to the
33 department. On a first conviction, the judge may order the suspension of the
34 driving privileges of the person for a period of not more than ninety
35 days. In the case of a first conviction and on receipt of the abstract of
36 conviction and order of the court, the department shall suspend the driving
37 privileges of the person for the period of time ordered by the judge. In the
38 case of a second or subsequent conviction for an offense committed within a
39 period of twenty-four months and on receipt of the abstract of conviction,
40 the department shall revoke the driving privileges of the person.

41 ~~E.~~ G. The director may authorize in writing an organized and properly
42 controlled event to utilize a highway or part of a highway even though it is
43 prohibited by this section. The authorization shall specify the time of the
44 event, the highway or part of a highway to be utilized and any special
45 conditions the director may require for the particular event.

- 1 F. H. For the purposes of this section:
2 1. "Drag race" means either:
3 (a) The operation of two or more vehicles from a point side by side
4 at accelerating speeds in a competitive attempt to outdistance each other.
5 (b) The operation of one or more vehicles over a common selected
6 course and from the same point for the purpose of comparing the relative
7 speeds or power of acceleration of the vehicle or vehicles within a certain
8 distance or time limit.
9 2. "Racing" means the use of one or more vehicles in an attempt to
10 outgain or outdistance another vehicle or prevent another vehicle from
11 passing.

APPROVED BY THE GOVERNOR MAY 21, 2002.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 22, 2002.



Passed the House March 27, 2002,

Passed the Senate April 25, 2002,

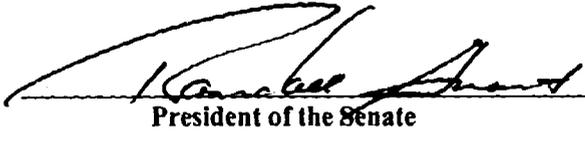
by the following vote: 41 Ayes,

by the following vote: 26 Ayes,

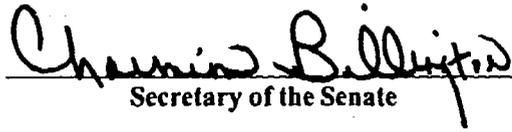
15 Nays, 4 Not Voting

2 Nays, 2 Not Voting


Speaker of the House


President of the Senate


Chief Clerk of the House


Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this
_____ day of _____, 20____,

at _____ o'clock _____ M.

Secretary to the Governor

Approved this _____ day of
_____, 20____,

at _____ o'clock _____ M.

Governor of Arizona

H.B. 2452

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State
this _____ day of _____, 20____,

at _____ o'clock _____ M.

Secretary of State

HOUSE CONCURS IN SENATE
AMENDMENTS AND FINAL PASSAGE

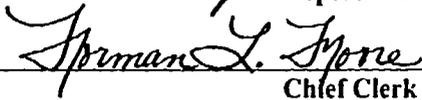
May 15, 2002,

by the following vote: 46 Ayes,

11 Nays, 3 Not Voting



Speaker of the House



Chief Clerk of the House

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

15 day of May, 2002

at 3:00 o'clock P M.



Secretary to the Governor

Approved this 21st day of

May, 2002,

at 10:20 o'clock A M.



Governor of Arizona

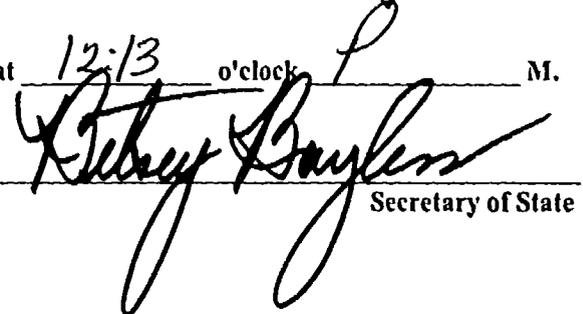
H.B. 2452

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 22nd day of May, 2002,

at 12:13 o'clock P M.



Secretary of State